

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW MEXICO

UNITED STATES OF AMERICA,

Plaintiff,

vs

Cause No. 05-CR-1849-JH

GREG HILL,

Defendant.

UNOPPOSED MOTION TO MODIFY CONDITIONS OF RELEASE

Defendant Greg Hill, by and through his attorney Billy R. Blackburn, respectfully requests this Court to modify the Defendant's conditions of release to allow him to travel to the Western District of Kentucky from his home in the adjacent Southern District of Indiana in order to offer support to a terminally ill friend. As grounds in support thereof, Defendant states as follows:

1. On or about August 23, 2005, the Defendant Greg Hill was indicted and charged with conspiracy to distribute 1000 kilograms and more of marijuana, conspiracy to launder money and criminal forfeiture.

2. On or about August 25, 2005, the Defendant Greg Hill appeared for initial appearance before V. Sue Shields, U.S. Magistrate for the Southern District of Indiana. At that time, certain conditions were set, including ankle bracelet monitoring, Pretrial Services reporting, and restricting the Defendant's travel to the Southern District of Indiana. Thereafter, on September 1, 2005, the Defendant Greg Hill was arraigned before U.S. Magistrate Richard Puglisi in the District of New Mexico, who adopted the conditions set by Judge V. Sue Shields.

3. On or about January 16, 2006, Kari Converse, attorney for Greg Hill, filed an unopposed Motion to Modify Conditions of Release requesting the Defendant's conditions be modified to eliminate the requirement of ankle bracelet monitoring and to permit the Defendant to travel to the Northern District of Indiana upon advance notice to his probation Officer. On or about January 12, 2006, the Honorable Alan C. Torgerson signed an Order Modifying Conditions of Release granting the Defendant's requested relief, removing the requirement of electronic monitoring, and allowing him to travel within Indiana upon giving advance notice to his probation officer.

4. On or about February 7, 2008, the Defendant requested that he be allowed to travel within the State of Indiana without ten day advance notice to his probation officer provided notification was given at the time of travel. On February 11, 2008, the Court granted the Defendant's request.

5. The Defendant is a close friend of John Birkett and his daughter, Julie. Unfortunately, Mr. Birkett, was diagnosed with terminal prostate cancer and has severely limited time left. It is expected that Mr. Birkett will only live another few weeks. Mr. Birkett and his family, particularly his daughter, have requested the Defendant provide support to them during this difficult time. Thus, the Defendant is requesting he be granted permission to travel to the Western District of Kentucky, where the Birkett's reside, in order to provide support to Mr. Birkett and his family during the his last days with prior approval of the probation office of the Southern District of Indiana. The Defendant would provide his probation officer in the Southern District of Indiana with prior notice of his travel plans, and would not remain overnight.

6. The Western District of Kentucky is adjacent to the Southern District of

Indiana, where the Defendant resides, and the Birkett's home is approximately a two hour drive from the Defendant's residence in Bloomington, Indiana, and the Defendant would limit his travel to day-trips without any overnight stays. As stated, the Defendant was previously granted permission to travel to a District adjacent to the Southern District of Indiana where he resides; namely the Northern District of Indiana.

7. Counsel for the Defendant has contacted Jay Hardy, United States Probation Officer for the Southern District of Indiana, the individual conducting pretrial supervision of the Defendant, concerning the relief requested in this Motion. Mr. Hardy indicated that he has no objection to the relief requested herein as long as the Defendant receives prior approval from Mr. Hardy before traveling to the Western District of Kentucky. Counsel has also contacted Paul Valdez, United States Probation Officer for the District of New Mexico, the individual responsible for the Defendant's supervision from the local office, and Mr. Valdez agrees with Mr. Hardy's position, particularly that the Defendant's travel be limited to day trips with prior approval of Mr. Hardy.

8. Assistant U.S. Attorney James Braun has been contacted concerning this motion and does not object to the relief requested herein.

WHEREFORE, for the above stated reasons, the Defendant Greg Hill respectfully requests this Court to modify the Defendant's conditions of release to allow him to travel to the Western District of Kentucky from his home in the adjacent Southern District of Indiana in order to provide support for a terminally ill friend.

Respectfully submitted,

Electronically filed 3/11/09

BILLY R. BLACKBURN
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I hereby certify that a true and accurate copy of the foregoing was emailed by CM/ECF to AUSA James Braun this 11th day of March, 2009.

Electronically filed 3/11/09

Billy R. Blackburn